COMPLIANCE EVALUATION

Local Program Implementation Review

CBLAD

Lee Tyson

Chesapeake Bay Local Assistance Department
Commonwealth of Virginia

Project Goals

- Evaluate local government implementation of the Chesapeake Bay Preservation Area Designation and Management Regulations

- Use the information gathered to tailor our Technical Assistance Efforts and Determine Resource Needs and Allocation Strategies

- Use the Information Gathered in Evaluating Department Efforts

Compliance Evaluation

- A systematic review of the local government efforts at administering the Regulations. "How have you been implementing the Act and Regulations?"

- Conclusions will be presented to the Board as part of its oversight responsibility.

- Will serve as a base line evaluation of the local program for purposes of the five-year compliance review requirement contained in Section 9 VAC 10-20-250 of the Regulations

Field Investigation

- Types of development sites that may be visited include: residential subdivisions; single-family construction; commercial/office; construction on pre-1989 lots; additions to nonconforming structures; water dependent facilities; shoreline stabilization projects; redevelopment sites; sight-line clearing sites; exception sites; and sites of violations

Field Investigations, cont'd

- Staff liaison and local program contact will review development file and plans prior to visit.

- Site visits will examine whether development occurred according to plans and condition of BMPs if used.

- Liaison will take digital photographs that become part of the record.

Compliance Evaluation – CBLAD Staff's Role

- Staff liaison will prepare locality files for each local government: General Information; Work Plan; Elements of the Local Program; Land Use and Development Criteria; Program Administration and Enforcement: and, Field Investigation.

- Staff liaison will schedule an initial meeting to discuss the process, identify the players, and determine schedules.

- Staff will send the locality a copy of the Local Program Compliance Evaluation Checklist, which outlines the data needs for the process.

CBLAD Staff role, cont'd

- Staff to prepare a work plan based on discussions with local counterparts.

- Staff to conduct evaluation of program using Checklist for Local Program Compliance Evaluation and Compliance Checklists for Development Sites

- Staff to share Checklist with local program staff at the end of the process, and develop a staff report to the Board outlining strengths and weaknesses, recommendations for improvement, and conclusions.

Local Program Staff Roles

- Review Locality Checklist

- Compile Information Requested

- Identify data gaps

- Help identify development sites for review

- Represent the locality before the Board

The Compliance Evaluation Checklist

- Checklist format used because of need for continuity with other program element reviews and ease of administration.

- Checklist is divided into program elements based on the Regulations:

Compliance Evaluation Checklist, cont'd

- Elements of the Local Program

- Land Use and Development Performance Criteria (General Performance Criteria and RPA Performance Criteria)

- Program Administration and Enforcement

Schedule

- A meeting of local government representatives was held at the end of January.

- A final DRAFT of the program elements was distributed to all 84 localities, the Administration, the PDCs, VACO and VML.

- The CBLAB Policy Committee considered the meeting on April 25. The full CBLAB is scheduled to consider the matter at the September meeting.

- Evaluations would begin as soon thereafter as liaisons and local staff can schedule initial meetings.

Chesapeake Bay Local Assistance Department
Commonwealth of Virginia

Schedule, cont'd

- It is anticipated that each liaison will conduct three or four Compliance Evaluations per year, depending upon the complexity of the local program and the issues raised.

- Liaisons will be responsible for establishing a priority listing within their PDCs.

Chesapeake Bay Local Assistance Department
Commonwealth of Virginia